

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ANNE FLACCUS,

Plaintiff,

v.

ADVANCED DISPOSAL SERVICES
EASTERN PA, INC. f/k/a ADVANCED
DISPOSAL SERVICES SHIPPENSBURG,
LLC; and ADVANCED DISPOSAL
SERVICES SOUTH, LLC f/k/a
ADVANCED DISPOSAL SERVICES, INC.

Defendants.

Civil Action No. 2:17-cv-04808-MAK

**PLAINTIFF’S SUPPLEMENTAL MEMORANDUM IN FURTHER SUPPORT OF
MOTIONS FOR FINAL APPROVAL OF CLASS SETTLEMENT AND FOR
APPROVAL OF FEES, EXPENSES, AND INCENTIVE AWARD**

Plaintiff Anne Flaccus, by and through her undersigned counsel, hereby respectfully submits this Supplemental Memorandum to inform the Court that there have been no objections to the Settlement or fee application, and no opt-outs to the Settlement.

In accordance with this Court’s Preliminary Approval Order (ECF No. 85), Plaintiff filed her Motion for Final Approval of Class Settlement (“Final Approval Motion”) on June 15, 2023 (ECF No. 87) and her Motion for Approval of Attorneys Fees, Expenses, and Incentive Award (“Fee Motion”) on June 26, 2023 (ECF No. 88). No objections have been received to the Settlement or to the requested fees and expenses. *See* 8/3/23 Declaration of Vanessa Santacruz (filed contemporaneously herewith) at ¶ 8. Moreover, no Class Members have requested to be excluded from the Settlement Class. *Id.* at ¶ 9.

Accordingly, for the reasons set forth herein and in Plaintiff’s prior submissions in connection with the Settlement, Plaintiff respectfully requests that this Court grant the relief

sought in the Final Approval Motion and Fee Motion. *See, e.g., In re Processed Egg Products Antitrust Litig.*, 284 F.R.D. 249, 269 (E.D. Pa. 2012) (final approval granted when “there were no objections filed to Settlement and thus no negative feedback to the settlement”); *In re Cendant Corp. Litig.*, 264 F.3d 201, 234-35 (3d Cir. 2001) (low number of objections strongly favors settlement and “[t]he vast disparity between the number of potential class members who received notice of the Settlement and the number of objectors creates a strong presumption that this factor weighs in favor of the Settlement”).

Respectfully submitted,

Dated: August 3, 2023

/s/ Andrew J. Belli
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CERTIFICATE OF SERVICE

I, Andrew J. Belli, hereby certify that on August 3, 2023, I caused a true and correct copy of the foregoing Supplemental Memorandum to be served via the Court's CM/ECF system, which will send notification of same to defense counsel as follows:

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